

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

MUNICIPAL ADMINISTRATION & URBAN DEVELOPMENT DEPARTMENT – Kadapa Municipal Corporation – Regularization of services of three (3) individual viz., 1) Sri.J.Satyanarayana, Secondary Grade Teacher, 2) Sri.M.Asif Ahammed, Secondary Grade Teacher and 3) Sri K.Siva Prasad, Secondary Grade Teacher of Kadapa Municipal Corporation with effect from 21.08.2001 – Implementation of orders of the Hon'ble A.P. Administrative Tribunal dated:09.09.2011 in O.A.No.7538/2011 – Orders – Issued.

MUNICIPAL ADMINISTRATION & URBAN DEVELOPMENT (D2) DEPARTMENT

G.O.Rt.No. 1078

Dated: 09.08.2012,

Read the following:-

1. Interim Orders of the Hon'ble APAT, Hyderabad Dt:09.09.2011 in O.A.No.7538/2011.
2. From the DMA, Hyd. Lr.Roc.No.9890/2007/J3, Dated:30.09.2011.
3. From the Dy.Registrar, APAT, Hyd. C.A.No.1740/2011 in O.A.No.7538/2011, dt:28.12.2011.
4. G.O.Rt.No.647, M.A. & U.D. (D2) Department, Dt:08.05.2012.
5. Govt.Memo.No.24890/D2/2010, M.A. & U.D. (D2) Department, Dated:08.05.2012.
6. From the Dy.Registrar, APAT, Hyd. C.A.No.1740/2011 in O.A.No.7538/2011, dt:12.06.2012.

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ORDER:

In the reference 1st read above, the Hon'ble Andhra Pradesh Administrative Tribunal, Hyderabad have passed interim orders that, "pending disposal of the OA, there shall be a direction to the respondents to forthwith release the increments, Revised Pay Scales, Pay Fixations in Revised Pay Scales from time to time on par with other teachers in terms of F.R.54, of the Fundamental Rules, within a period of four weeks from the date of receipt of a copy of this order."

2. In the reference 2nd read above, the Commissioner and Director of Municipal Administration, Hyderabad has stated that, (1) S/Sri.J.Satyanarayana, (2) M.Asif Ahammed and (3) K.Siva Prasad were appointed as Secondary Grade Teachers (SGTs) in Municipal School, Kadapa Municipality on compassionate grounds as per the approval of the Chairperson, in anticipation of Panel Committee approval vide Proceedings Dated:21.08.2001. Among three Secondary Grade Teachers, Sri.M.Asif Ahammed, S/o.Late Saheb Jan was a son of the deceased employee and he was appointed as S.G.Teacher in accordance with G.O.Ms.No. 612, GA (Ser.A) Dept., Dt:30.10.1991. In respect of remaining two Secondary Grade Teachers i.e., Sri.J.Satyanarayana and Sri.K.Siva Prasad are dependents of the employees, who retired on Medical Invalidation grounds were appointed as Secondary Grade Teachers in violation of the orders issued in G.O.Ms.No. 612, GA (Ser.A) Dept., dt:30.10.1991. Further, an Ex-councilor has filed a W.P.No.3043/2002 in Hon'ble High Court on the action of the then Chairperson, Municipal Council, Kadapa in appointing the above said persons. The Hon'ble High Court in its orders dated:06.12.2004 has disposed off the WP with a direction to the Secretary to Government, Municipal Administration & Urban Development Dept., and the Commissioner & Director of Municipal Administration to treat the WP itself as representation and pass appropriate orders as they may deem fit and proper in accordance with law. Government, after careful examination of the matter, rejected for ratification of the action of the then Chairperson, Kadapa Municipality in having made irregular appointments, and directed the Commissioner & Director of Municipal Administration, to take immediate steps to terminate the appointments following due procedure vide Govt.Memo.No.10817/Coodn./2005, dated 04.10.2008. Accordingly, the Commissioner and Director of Municipal Administration, Hyderabad has terminated the above said three employees vide his Proceedings dated 04.10.2008. Aggrieved by above said orders, the individuals have filed OAs in APAT. The APAT in its interim orders dated 15.04.2009 in O.A.Nos.8477, 8478 and 8479/2008 respectively have suspended the termination orders. Further, the individuals have filed CAs for not implementing the interim orders of the APAT. Government, after careful examination of the matter directed

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the Director of Municipal Administration, Hyderabad, to implement the orders of APAT vide Govt.Memo.No.8920/D2/2010-1, dt:31.05.2010. Accordingly, the three individuals were reinstated into service vide Proceeding Dated 05.06.2010 of the Commissioner, Municipal Corporation, Kadapa. Later on, the individuals have submitted a representation, dated 12.10.2010 requesting to settle benefits including increments due from 2002 to 2010 i.e., for the interregnum period, pay fixation as per PRC 2003 etc., extension of Automatic Advancement Scheme scales on completion of 8 years incremental service, duly treating the interregnum period 'on duty' with all consequential benefits in terms of FR 54(1) of the Fundamental Rules. The Commissioner & Director of Municipal Administration has, therefore, requested the Government to issue necessary orders in the matter.

3. In the reference 3rd read above, Sri J.Satyanarayana, SGT, Kadapa Municipal Corporation & 2 others have filed C.A.No.1740/2011 in O.A.No.7538/2011 for non-implementation of the Hon'ble A.P. Administrative Tribunal orders dated:09.09.2011 in O.A.No.7538/2011.

4. In the reference 4th read above, Government have ratified the action of the then Chairperson, Municipal Council, Kadapa / Commissioner, Kadapa Municipal Corporation in having appointing three (3) individuals viz., (1) S/Sri.J.Satyanarayana, (2) M.Asif Ahammed and (3) K.Siva Prasad, as Secondary Grade Teachers irregularly vide Progs.Roc.No.2802/2001/C3, dt:21.08.2001, Roc.No.454/2000/C3, dt:21.08.2001 and Roc.No.2960/2001/C3, dt:21.08.2001 respectively, in relaxation of orders issued in G.O.Ms.No.612, General Administration (Ser.A) Department, Dated:30.10.1991. In the reference 5th read above, the Commissioner and Director of the Municipal Administration, Hyderabad, has been informed that, the issue of regularization of services of the above three (3) individuals is under examination in consultation with advisory Departments.

5. Government after careful examination of the matter, hereby regularize the services of 1) S/Sri.J.Satyanarayana, Secondary Grade Teacher 2) M.Asif Ahammed, Secondary Grade Teacher and 3) K.Siva Prasad, Secondary Grade Teacher of Kadapa Municipal Corporation with effect from 21.08.2001, for pay protection, increments, revised pay scales, as directed by the Hon'ble A.P.Administrative Tribunal in its interim orders dated:09.09.2011 in O.A.No.7538/2011 and without back wages during the termination period from 18.10.2008 to 04.06.2010 by condoning the gap between the two spells of service.

6. The Commissioner and Director of Municipal Administration, Hyderabad shall take further necessary action accordingly.

7. This order issues with the concurrence of Finance (F.R.II) Department vide their U.O.No.18833/501/FR.II/2012, Dated:21.07.2012.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

RAJIV RANJAN MISHRA
PRINCIPAL SECRETARY TO GOVERNMENT

To

The Commissioner and Director of Municipal Administration, Hyderabad

Copy to:

The Commissioner, Kadapa Municipal Corporation, Kadapa District.

The Accountant General, Andhra Pradesh, Hyderabad.

The District Treasury Officer, Kadapa District.

The O.S.D. to the Hon'ble Minister (MA).

The Govt. Pleader for MA&UD, A.P.A.T., Hyderabad.

The Finance (FR.II) Department.

SF/SC.

// FORWARDED : : BY ORDER //

SECTION OFFICER